

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEWEY DEAN BUTTERFLY,

Defendant.

**CR-12-24-GF-BMM**

**ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter January 12, 2017. (Doc. 50.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 10, 2017. (Doc. 46.) Butterfly admitted that he committed 3 of the 5 alleged violations of the conditions of his supervised release. The violations prove serious and warrant

revocation of Butterfly's supervised release. Judge Johnston has recommended that the Court revoke Butterfly's supervised release and commit Butterfly to the custody of the Bureau of Prisons for six months and given credit for time served, with no supervised release to follow. (Doc. 50 at 5.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Butterfly's violations of his conditions represent a serious breach of the Court's trust. A sentence of six months custody represents a sufficient, but not greater than necessary, sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 50) is ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Dewey Dean Butterfly be sentenced to six (6) months custody.

DATED this 30th day of January, 2017.



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Brian Morris  
United States District Court Judge